

PROGRAM NARRATIVE**180 Judicial Branch****Date:** 01/13/2011**Time:** 11:15:58**Program:** Supreme Court**Reporting level:** 00-180-181-00-00-00-00000000**Program Performance Measures**

The Supreme Court Docket System (SCDS) is used to provide management information for Supreme Court cases.

Program Statistical Data**Statistical Data relating to the Supreme Court includes:**

- Total Supreme Court filings increased slightly in 2009. Total case filings were 368 in 2009 as compared to 342 in 2008.
- Total civil cases filed were 248 in 2009 as compared to 213 in 2008 and total criminal cases filed were 120 in 2009 as compared to 129 in 2008.
- In 2009, the number of appeals in family-related cases accounted for 22 percent of the civil caseload. Appeals in cases involving administrative agencies accounted for 11 percent of the civil caseload.
- Appeals of drug-related offenses accounted for 34 percent of the criminal caseload.
- Oral arguments were scheduled in 220 cases, with approximately 16 percent of those arguments being waived by either the parties or the Court and submitted on the briefs and the record.
- The Justices each authored an average of 44 majority opinions. Another 58 separate concurrences and/or dissents were also written.
- One or more of the parties were self-represented in 20 percent of the cases.
- The most appeals originated from the South Central Judicial District, followed by the Northwest, East Central, Northeast Central, Southeast, Northeast and Southwest Districts.
- There were 652 motions filed in 2009, with 39 percent being e-filed. The Clerk acted on 43 percent of the motions under North Dakota Supreme Court Administrative Rule 5 and as delegated by the Chief Justice.
- Of the 573 briefs filed in 2009, 50 percent of them were electronically filed under North Dakota Supreme Court Administrative Order 14.

Explanation of Program Costs

The requested funds are necessary for the operation of the Supreme Court.

Program Goals and Objectives

The Supreme Court is the highest court of the state. It has general supervisory and administrative authority over all other courts. This authority covers all judges of every court in the state and all officers serving the courts.

REQUEST DETAIL BY PROGRAM

180 Judicial Branch

Bill#: HB1002

Date: 01/13/2011

Biennium: 2011-2013

Time: 11:15:58

Program: Supreme Court	Reporting Level: 00-180-181-00-00-00-00000000
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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
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Salaries and Wages

Salaries - Permanent	5,293,647	6,079,175	404,891	6,484,066	0
Temporary Salaries	25,489	50,000	84,000	134,000	0
Fringe Benefits	1,672,041	2,060,821	84,972	2,145,793	0
Total	6,991,177	8,189,996	573,863	8,763,859	0

Salaries and Wages

General Fund	6,991,177	8,189,996	573,863	8,763,859	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	6,991,177	8,189,996	573,863	8,763,859	0

Operating Expenses

Travel	169,000	206,010	9,225	215,235	0
Supplies - IT Software	39,718	24,863	(1,560)	23,303	0
Supply/Material-Professional	749,265	896,192	16,928	913,120	0
Bldg, Ground, Maintenance	805	0	0	0	0
Miscellaneous Supplies	19,841	15,000	0	15,000	0
Office Supplies	36,061	42,432	4,243	46,675	0
Postage	55,959	67,526	944	68,470	0
Printing	51,513	72,830	(25)	72,805	0
IT Equip Under \$5,000	68,160	39,805	(7,488)	32,317	0
Office Equip & Furn Supplies	29,033	20,000	10,000	30,000	0
Insurance	12,144	9,412	3,288	12,700	0
Rentals/Leases-Equip & Other	803	1,000	0	1,000	0
Rentals/Leases - Bldg/Land	5,074	6,000	100	6,100	0
Repairs	20,511	22,600	2,240	24,840	0
IT - Data Processing	106,203	110,072	(13,613)	96,459	0
IT - Communications	53,768	60,759	2,815	63,574	0
IT Contractual Svcs and Rprs	38,173	90,354	92,467	182,821	0
Professional Development	244,971	294,471	1,745	296,216	0
Operating Fees and Services	44,969	70,755	36,033	106,788	0
Fees - Professional Services	83,004	147,295	400	147,695	0
Total	1,828,975	2,197,376	157,742	2,355,118	0

Operating Expenses

General Fund	1,828,975	2,197,376	157,742	2,355,118	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0

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180 Judicial Branch
Biennium: 2011-2013

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Program: Supreme Court		Reporting Level: 00-180-181-00-00-00-00000000			
Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Total	1,828,975	2,197,376	157,742	2,355,118	0
Capital Assets					
Extraordinary Repairs	14,203	0	0	0	0
Equipment Over \$5000	21,530	6,000	21,500	27,500	0
IT Equip/Sftware Over \$5000	0	6,549	(6,549)	0	0
Total	35,733	12,549	14,951	27,500	0
Capital Assets					
General Fund	35,733	12,549	14,951	27,500	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	35,733	12,549	14,951	27,500	0
Supreme Court- Judges Retirement					
Temporary Salaries	128,825	127,021	13,941	140,962	0
Total	128,825	127,021	13,941	140,962	0
Supreme Court- Judges Retirement					
General Fund	128,825	127,021	13,941	140,962	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	128,825	127,021	13,941	140,962	0
Total Expenditures	8,984,710	10,526,942	760,497	11,287,439	0
Funding Sources					
General Fund					
Total	8,984,710	10,526,942	760,497	11,287,439	0
Total Funding Sources	8,984,710	10,526,942	760,497	11,287,439	0
FTE Employees	45.00	45.00	0.00	45.00	0.00

CHANGE PACKAGE DETAIL

180 Judicial Branch

Biennium: 2011-2013

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Program: Supreme Court			Reporting Level: 00-180-181-00-00-00-00000000			
Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds

Base Budget Changes**One Time Budget Changes**

A-B 3 Equipment over \$5,000		0.00	27,500	0	0	27,500
Total One Time Budget Changes		0.00	27,500	0	0	27,500

Ongoing Budget Changes

A-A 11 Miscellaneous Supreme Court operating adjustmen		0.00	25,275	0	0	25,275
A-A 16 Commission to Study Racial and Ethnic Bias in t		0.00	40,000	0	0	40,000
A-A 9 Information technology costs		0.00	92,467	0	0	92,467
A-F 2 Remove current biennium capital assets.		0.00	(12,549)	0	0	(12,549)
Base Payroll Change		0.00	587,804	0	0	587,804
Total Ongoing Budget Changes		0.00	732,997	0	0	732,997
Total Base Budget Changes		0.00	760,497	0	0	760,497

PROGRAM NARRATIVE**180 Judicial Branch****Date:** 01/13/2011**Time:** 11:15:58**Program:** District Court**Reporting level:** 00-180-182-00-00-00-00-00000000**Program Performance Measures**

A Unified Court Information System (Odyssey), Juvenile Case Management System (JCMS) and a Jury Management System are all information systems which provide information for managing district court operations.

The judiciary is constantly monitoring its performance regarding delivering judicial services. Some of these performance measures include:

- Civil, criminal and juvenile docket currency standards
- Jury yield and juror utilization statistics
- Staffing standards
- Fully Automated Child Support Enforcement System (FACSES) child support software action alerts
- Case data entry time standards

Program Statistical Data**Statistical data relating to District Court includes:**

- Total district court filings increased slightly in 2009 showing a 1.5 percent increase as compared to 2008 filings. Total case filings were 154,769 in 2009 as compared to 152,540 in 2008.
- Civil filings increased slightly (0.6 percent) in 2009 compared to 2008. Small claims, probate and domestic relations cases all increased. Total civil filings were 36,310 in 2009 as compared to 36,077 in 2008.
- Criminal case filings decreased by 1.7 percent from 2008 to 2009. Felony filings increased by 257 or 6.7 percent, misdemeanors decreased by 406 or 1.9 percent, and infractions decreased by 317 or 14.8 percent. There were 26,735 total criminal filings in 2009 as compared to 27,201 in 2008.
- Administrative traffic filings increased by 2,644 or 3.1 percent from 2008 to 2009. These cases make up 58 percent of the overall caseload; however, they require little judicial involvement. The processing time required impacts court clerk personnel almost exclusively. There were 89,252 total traffic cases filed in 2009 as compared to 86,608 in 2008.
- Overall referrals to juvenile court decreased by 6.9 percent from 2008 to 2009 after increasing 9.3 percent from 2007 to 2008. As with the criminal caseload, the low violent crime rate in North Dakota is reflected in its juvenile court statistics. Total juvenile cases filed were 2,472 in 2009 as compared to 2,654 in 2008.

PROGRAM NARRATIVE**180 Judicial Branch****Date:** 01/13/2011**Time:** 11:15:58**Program:** District Court**Reporting level:** 00-180-182-00-00-00-00-00000000**Explanation of Program Costs**

The requested funds are necessary for the operation of the district courts.

Program Goals and Objectives

The district court is a trial court where cases are heard for the first time. There are seven judicial districts, and they have original jurisdiction in all cases, both civil and criminal. The district courts also have original jurisdiction over juvenile matters. The district courts also hear appeals and transfer cases from the municipal courts.

REQUEST DETAIL BY PROGRAM

180 Judicial Branch
Biennium: 2011-2013

Bill#: HB1002

Date: 01/13/2011

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Program: District Court		Reporting Level: 00-180-182-00-00-00-00000000			
Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Salaries and Wages					
Salaries - Permanent	30,367,458	35,229,021	2,832,468	38,061,489	0
Temporary Salaries	370,815	694,083	220,817	914,900	0
Overtime	3,403	0	0	0	0
Fringe Benefits	10,561,600	13,057,151	620,109	13,677,260	0
Total	41,303,276	48,980,255	3,673,394	52,653,649	0
Salaries and Wages					
General Fund	40,360,845	48,001,347	3,492,638	51,493,985	0
Federal Funds	931,280	938,908	220,756	1,159,664	0
Special Funds	11,151	40,000	(40,000)	0	0
Total	41,303,276	48,980,255	3,673,394	52,653,649	0
Operating Expenses					
Travel	1,190,105	1,293,733	80,862	1,374,595	0
Supplies - IT Software	585,613	342,395	86,133	428,528	0
Supply/Material-Professional	470,971	550,850	(16,866)	533,984	0
Food and Clothing	3,232	7,700	950	8,650	0
Miscellaneous Supplies	221,088	224,012	(49,375)	174,637	0
Office Supplies	316,915	321,750	27,504	349,254	0
Postage	370,703	401,234	67,264	468,498	0
Printing	171,518	196,100	23,500	219,600	0
IT Equip Under \$5,000	226,127	588,889	(106,077)	482,812	0
Other Equip Under \$5,000	52,554	0	0	0	0
Office Equip & Furn Supplies	204,521	181,500	81,894	263,394	0
Insurance	40,177	41,842	5,753	47,595	0
Rentals/Leases-Equip & Other	13,708	17,250	(1,100)	16,150	0
Rentals/Leases - Bldg/Land	82,135	243,900	14,056	257,956	0
Repairs	179,818	183,150	13,100	196,250	0
IT - Data Processing	672,060	859,183	484,752	1,343,935	0
IT - Communications	368,728	395,666	48,185	443,851	0
IT Contractual Svcs and Rprs	1,962,749	6,786,475	(4,838,659)	1,947,816	0
Professional Development	270,452	560,948	(60,302)	500,646	0
Operating Fees and Services	5,444,476	6,983,485	324,476	7,307,961	0
Fees - Professional Services	406,253	400,860	240,050	640,910	0
Medical, Dental and Optical	40,172	45,400	6,100	51,500	0
Other Expenses	47	0	0	0	0
Total	13,294,122	20,626,322	(3,567,800)	17,058,522	0

REQUEST DETAIL BY PROGRAM

180 Judicial Branch
Biennium: 2011-2013

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Program: District Court		Reporting Level: 00-180-182-00-00-00-00000000			
Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Operating Expenses					
General Fund	12,585,547	19,834,769	(3,473,358)	16,361,411	0
Federal Funds	707,571	791,553	(94,442)	697,111	0
Special Funds	1,004	0	0	0	0
Total	13,294,122	20,626,322	(3,567,800)	17,058,522	0
Capital Assets					
Equipment Over \$5000	545,511	282,125	(122,125)	160,000	0
IT Equip/Sftware Over \$5000	914,727	2,019,808	(1,485,328)	534,480	0
Total	1,460,238	2,301,933	(1,607,453)	694,480	0
Capital Assets					
General Fund	1,460,238	2,301,933	(1,607,453)	694,480	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	1,460,238	2,301,933	(1,607,453)	694,480	0
District Court- Judges Retirement					
Temporary Salaries	512,418	533,705	(40,513)	493,192	0
Total	512,418	533,705	(40,513)	493,192	0
District Court- Judges Retirement					
General Fund	512,418	533,705	(40,513)	493,192	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	512,418	533,705	(40,513)	493,192	0
Mediation					
Salaries - Permanent	77,494	120,782	2,962	123,744	0
Fringe Benefits	13,150	40,714	502	41,216	0
Travel	26,640	25,440	(8,940)	16,500	0
Supplies - IT Software	0	0	420	420	0
Supply/Material-Professional	83	12,000	(7,000)	5,000	0
Miscellaneous Supplies	734	12,000	(11,800)	200	0
Postage	42	0	180	180	0
IT Equip Under \$5,000	868	0	1,156	1,156	0
Office Equip & Furn Supplies	0	5,000	(1,156)	3,844	0
Insurance	108	0	0	0	0
Rentals/Leases - Bldg/Land	120	0	0	0	0

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Program: District Court		Reporting Level: 00-180-182-00-00-00-00000000			
Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
IT - Data Processing	935	0	1,200	1,200	0
IT - Communications	948	0	2,000	2,000	0
Professional Development	3,642	10,000	0	10,000	0
Operating Fees and Services	1,989	0	0	0	0
Fees - Professional Services	173,698	566,100	88,784	654,884	0
Total	300,451	792,036	68,308	860,344	0
Mediation					
General Fund	300,451	792,036	68,308	860,344	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	300,451	792,036	68,308	860,344	0
Alternative Dispute Resolution					
Fees - Professional Services	0	20,000	(20,000)	0	0
Total	0	20,000	(20,000)	0	0
Alternative Dispute Resolution					
General Fund	0	20,000	(20,000)	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	20,000	(20,000)	0	0
Und-Central Legal Research					
Grants, Benefits & Claims	80,000	80,000	0	80,000	0
Total	80,000	80,000	0	80,000	0
Und-Central Legal Research					
General Fund	80,000	80,000	0	80,000	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	80,000	80,000	0	80,000	0
Total Expenditures	56,950,505	73,334,251	(1,494,064)	71,840,187	0

Funding Sources**General Fund**

REQUEST DETAIL BY PROGRAM

180 Judicial Branch

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Biennium: 2011-2013

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Program: District Court		Reporting Level: 00-180-182-00-00-00-00000000			
Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Total	55,299,499	71,563,790	(1,580,378)	69,983,412	0
Federal Funds					
G066 Child Support	1,037,506	1,119,090	156,967	1,276,057	0
G154 Stop Grant-NEC Family Court Pilot	29,643	6,653	(6,653)	0	0
G200 Court Improvement Training	73,918	0	0	0	0
G202 Grts. to Encourage Arrest Policies	40,793	12,000	(12,000)	0	0
G203 Underage Juvenile Drug Cr.	92,052	0	0	0	0
G204 Court Improvement 2007	102,688	0	0	0	0
G205 Cr.Imprvment Training Prg. 07	70,329	0	0	0	0
G206 Cr. Imprvment Data Shring Prg 07	96,704	0	0	0	0
G210 Cr. Improvement 2008	85,077	205,376	(12,122)	193,254	0
G212 Cr. Imprvment Data Sharng Prg 008	10,141	193,908	216	194,124	0
G214 Cr. Imprvmnt Training Prgm 08	0	193,434	(94)	193,340	0
Total	1,638,851	1,730,461	126,314	1,856,775	0
Special Funds					
312 State Courts Fund 312	12,155	40,000	(40,000)	0	0
Total	12,155	40,000	(40,000)	0	0
Total Funding Sources	56,950,505	73,334,251	(1,494,064)	71,840,187	0
FTE Employees	289.00	293.00	4.00	297.00	0.00

CHANGE PACKAGE DETAIL

180 Judicial Branch

Biennium: 2011-2013

Bill#: HB1002

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Program: District Court			Reporting Level: 00-180-182-00-00-00-00000000			
Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds

Base Budget Changes**One Time Budget Changes**

A-B 14 Disaster recovery study		0.00	100,000	0	0	100,000
A-B 15 WACP and WCL study		0.00	300,000	0	0	300,000
A-B 3 Equipment over \$5,000		0.00	160,000	0	0	160,000
A-B 4 IT Equipment over \$5,000.		0.00	534,480	0	0	534,480
A-E 1 Remove current biennium one-time funding items.		0.00	(5,992,899)	0	0	(5,992,899)
Total One Time Budget Changes		0.00	(4,898,419)	0	0	(4,898,419)

Ongoing Budget Changes

A-A 10 Salaries and wages - Judicial Branch.		0.00	28,434	0	0	28,434
A-A 12 Miscellaneous Disctrict Court operating adjustm		0.00	153,050	(140,140)	0	12,910
A-A 6 Payments to contract counties.		0.00	445,909	0	0	445,909
A-A 7 ITD technology fee		0.00	381,660	0	0	381,660
A-A 8 Odyssey maintenance support and enhancements		0.00	750,420	0	0	750,420
A-A 9 Information technology costs		0.00	404,912	45,698	0	450,610
A-F 2 Remove current biennium capital assets.		0.00	(2,301,933)	0	0	(2,301,933)
Base Payroll Change		4.00	3,455,589	220,756	(40,000)	3,636,345
Total Ongoing Budget Changes		4.00	3,318,041	126,314	(40,000)	3,404,355
Total Base Budget Changes		4.00	(1,580,378)	126,314	(40,000)	(1,494,064)

PROGRAM NARRATIVE**180 Judicial Branch****Date:** 01/13/2011**Time:** 11:15:58**Program:** Judicial Cond Comm and Disc. Board**Reporting level:** 00-180-183-00-00-00-00-00000000**Program Performance Measures**

The Disciplinary System does not use any formal performance measures.

Program Statistical Data**Judicial Conduct Commission and Disciplinary Board:**

The Disciplinary Board System provides information to assist with tracking disciplinary measures against attorneys. Statistics are also maintained to track complaints and disciplinary measures against judges. In 2009 there were 151 complaints filed against attorneys as compared to 213 in 2008. In 2009 there were 51 complaints filed against judges as compared to 60 in 2008.

Explanation of Program Costs

The requested funds are necessary for the operations of the Judicial Conduct Commission and the Disciplinary Board.

Program Goals and Objectives

The Judicial Conduct Commission and Disciplinary Board investigates and addresses complaints against judges and attorneys.

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180 Judicial Branch
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Program: Judicial Cond Comm and Disc. Board **Reporting Level:** 00-180-183-00-00-00-00000000

Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Judicial Conduct Comm & Disciplinary Brd					
Salaries - Permanent	425,564	493,587	20,494	514,081	0
Fringe Benefits	145,841	164,462	3,482	167,944	0
Travel	16,557	30,000	3,000	33,000	0
Supplies - IT Software	1,913	1,750	80	1,830	0
Supply/Material-Professional	4,173	4,000	1,000	5,000	0
Miscellaneous Supplies	330	1,750	0	1,750	0
Office Supplies	1,152	2,000	(500)	1,500	0
Postage	13,911	11,000	0	11,000	0
Printing	1,955	2,000	0	2,000	0
IT Equip Under \$5,000	3,203	4,363	(95)	4,268	0
Office Equip & Furn Supplies	0	1,000	0	1,000	0
Insurance	678	800	0	800	0
Rentals/Leases-Equip & Other	7,144	13,800	(3,800)	10,000	0
Rentals/Leases - Bldg/Land	16,335	19,500	1,300	20,800	0
Repairs	3,555	4,800	0	4,800	0
IT - Data Processing	6,807	8,280	1,138	9,418	0
IT - Communications	3,840	5,787	(1,264)	4,523	0
IT Contractual Svcs and Rprs	150	750	4,992	5,742	0
Professional Development	2,908	5,000	3,000	8,000	0
Operating Fees and Services	12,320	30,000	4,000	34,000	0
Fees - Professional Services	2,058	9,000	1,000	10,000	0
Total	670,394	813,629	37,827	851,456	0
Judicial Conduct Comm & Disciplinary Brd					
General Fund	395,940	499,283	26,673	525,956	0
Federal Funds	0	0	0	0	0
Special Funds	274,454	314,346	11,154	325,500	0
Total	670,394	813,629	37,827	851,456	0
Total Expenditures	670,394	813,629	37,827	851,456	0
Funding Sources					
General Fund					
Total	395,940	499,283	26,673	525,956	0
Special Funds					
328 Judicial Conduct Comm. Fund 328	274,454	314,346	11,154	325,500	0

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Program: Judicial Cond Comm and Disc. Board		Reporting Level: 00-180-183-00-00-00-00000000			
Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Total	274,454	314,346	11,154	325,500	0
Total Funding Sources	670,394	813,629	37,827	851,456	0
FTE Employees	4.00	4.00	0.00	4.00	0.00

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Program: Judicial Cond Comm and Disc. Board			Reporting Level: 00-180-183-00-00-00-00000000			
Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds

Base Budget Changes**Ongoing Budget Changes**

A-A 13 Miscellaneous JCCDB operating adjustments.		0.00	7,861	0	5,990	13,851
Base Payroll Change		0.00	18,812	0	5,164	23,976
Total Ongoing Budget Changes		0.00	26,673	0	11,154	37,827
Total Base Budget Changes		0.00	26,673	0	11,154	37,827